

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

John Karl Smith

Case No.

18-1592-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 7, 2018 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

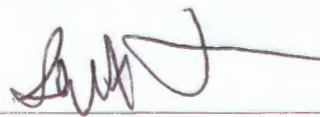
18 U.S.C. Sections 1951(a)

Offense Description

See attachment "A"

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.


Complainant's signature

Scott Friedenreich, Special Agent, FBI

Printed name and title

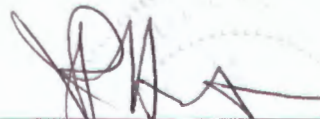
Sworn to before me and signed in my presence.

Date:

10/10/18

City and state:

Philadelphia, PA



Judge's signature

Jacob P. Hart, U.S. Magistrate Judge

Printed name and title

Attachment "A"

Count One

On or about August 7, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant JOHN KARL SMITH obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that, defendant SMITH unlawfully took and obtained, that is, \$800, U.S. Currency from employees of Cricket Wireless, at 1300 E. Erie Avenue, Philadelphia, Pennsylvania, a business engaged in interstate commerce, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future to them and property in their possession, that is, by using a knife to threaten and control the victim employees of Cricket Wireless, and stealing money from Cricket Wireless, in violation of Title 18, United States Code, Sections 1951(a).

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT**

I, Scott Friedenreich, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since December 2008. I am currently assigned to the Philadelphia Field Office where I work on the Violent Crimes Task Force. I investigate crimes such as commercial robberies and burglaries and other violations of the Hobbs Act, carjackings and other related crimes. Prior to being assigned to the Violent Crimes Task Force, I was assigned to the Health Care Fraud Task Force for 9 years. I have written, sworn to, and executed numerous search and arrest warrant affidavits. I have testified in grand jury and federal trial. During the course of my investigations, I have subpoenaed and analyzed telephone toll and subscriber records and obtained historical cell site data that was used as evidence in my investigations. Prior to my employment at the FBI, I was a state of Delaware Probation and Parole Officer for approximately 6 years.

2. This affidavit is being submitted in support of an application for a warrant to arrest JOHN SMITH for a violation of Title 18, United States Code Section 1951 (robbery which interferes with interstate commerce). The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, Philadelphia Police Department (PPD) detective and police officers working alongside me and/or individuals assisting law enforcement, as indicated below. Because this affidavit is submitted for the limited purpose of establishing probable cause to arrest SMITH, this affidavit

does not set forth each and every fact learned by me or other agents during the course of this investigation.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of the Hobbs Act, 18 U.S.C. 1951 have been committed by JOHN KARL SMITH (SMITH).

PROBABLE CAUSE

5. On August 2, 2018 at approximately 6:40 p.m., a black male wearing a black hooded sweatshirt, a black t-shirt with stars and "TIME TO SHINE" printed on it, gray sweatpants and a gray baseball hat, entered the Boost Mobile store, 3572 Frankford Avenue, Philadelphia, Pennsylvania, ran around the counter, produced a knife and swung it at an employee, K.L. K.L. hit the panic button and the individual fled the store. The individual was pursued by the employees of the store who saw the individual enter a silver Hyundai Sonata that possibly had a dent and a paper temporary tag. Detectives with the Philadelphia Police Department (PPD) reviewed surveillance video from a local business and observed the individual arrive in a silver Hyundai Sonata, with a paper Pennsylvania in-transit tag of 0057-467 and a New Jersey inspection sticker. Still images from the video of the Hyundai Sonata were disseminated to the PPD 24th District.

6. On August 7, 2018 at approximately 3:21 p.m., a black male entered a Cricket Wireless¹ store, a business engaged in and affecting interstate commerce, located at 1300 E. Erie Avenue, Philadelphia, Pennsylvania, produced a knife, went behind the counter and told an employee, Y.P., "give me all of the money or I'll stab you." The individual took \$800 from two registers and fled the store. Video surveillance showed the individual wearing a blue-collared pullover sweatshirt with a tag on the back of the neck, gray sweatpants, black and white Jordan sneakers and a white baseball cap with black trim on the brim and stitching.

7. On August 7, 2018, the PPD was dispatched to 1020 East Atlantic Street, Philadelphia, Pennsylvania for a vehicle parked illegally. PPD recovered a silver 2009 Hyundai Sonata, bearing Pennsylvania tag 0057-467, vehicle identification number (VIN) 5NPEU46F19H479431. PPD towed the vehicle for investigation.

8. PPD conducted a records check of the vehicle referenced in paragraphs 5 and 7 and found it had been sold to V.D. and S.F. On July 15, 2018, an unknown subject robbed S.F. of his car while he was delivering pizza.²

9. On August 8, 2018, PPD executed a search warrant on the vehicle. PPD recovered a blue-collared Polo pullover shirt with a tag on the back, black and white Jordan Nike sneakers with red "23" on the heels and a 4 inch filet knife. As referenced in paragraph 6, this clothing appears to be the clothing the robber wore during the robbery of the Cricket store on August 7, 2018. PPD also recovered a paper receipt with handwritten information dated July

¹ Cricket Wireless sells iPhone cellular telephones that are manufactured in China and other locations outside of the Commonwealth of Pennsylvania.

² PPD is currently investigating this robbery.

27, 2018, stating "Karl Smith, 8053 Fayette St. Phila, PA 19150" and a telephone number 215-436-3241. Police learned that SMITH was released from the Curran-Fromhold Correctional Facility on July 3, 2018. SMITH is the same approximate height and weight as the robber shown in the videos committing the knifepoint robberies described.

VICTIM IDENTIFICATIONS OF SMITH

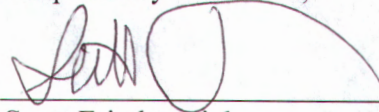
10. On August 9, 2018, PPD showed a photo array of six males, including SMITH to Y.P., the victim employee of the Cricket Wireless store. Y.P. identified SMITH as the robber stating "that's him, I'm sure."

11. On August 9, 2018, PPD showed a photo array of six males including SMITH to K.L., the victim employee of the Boost Mobile store. K.L. identified SMITH as the robber stating "he looks like the guy." When asked by PPD if he/she was confident, K.L. stated "out of all of the them he looks like the guy. When I looked at him, my whole body just tingled."

12. On August 24, 2018, 14th District PPD patrol officers observed SMITH exit the rear passenger seat of a vehicle in the 7900 block of Temple Road, Philadelphia, PA. This location is approximately one block from 8053 Fayette Street, Philadelphia, PA, the address written on the receipt described in paragraph 9. One of the officers recognized SMITH and knew that he was the subject of an outstanding arrest warrant for robbery. When SMITH observed the police officers, he asked what was going on, dropped a soda he was carrying, and ran. PPD officers arrested SMITH after a short foot pursuit.

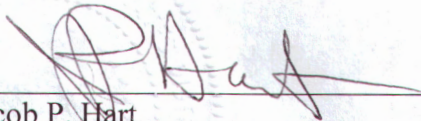
13. Based on the information contained in this affidavit, your affiant believes there is probable cause that SMITH violated 18 U.S.C. § 1951. Accordingly, I respectfully request that this court issue a warrant to arrest SMITH.

Respectfully submitted,



Scott Friedenreich
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on 10, October, 2018



Jacob P. Hart
UNITED STATES MAGISTRATE JUDGE